



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

ZAUDERER *et al.*

Appl. No.: 10/052,942

Filed: January 23, 2002

For: **Methods of Producing or
Identifying Intrabodies in
Eukaryotic Cells**

Confirmation No.: 1028

Art Unit: 1639

Examiner: Epperson, J.D.

Atty. Docket: 1821.0090004/EJH/FRC

**Sixth Supplemental Information Disclosure Statement
Filing Under 37 C.F.R. § 1.97(c)**

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Forms PTO/SB/08A and PTO/SB/08B are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Sixth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Fifth Supplemental Information Disclosure Statement filed on February 2, 2006, and Fourth Supplemental Information Disclosure Statement filed on August 6, 2004, in connection with the above-captioned application.

In accordance with 37 C.F.R. § 1.98(a)(2), copies of U.S. patents, documents **AJ6** and **AK6**, cited on the attached Form PTO/SB/08A are not submitted.

10/24/2006 09:00:00 AM RECEIVED
USPTO
DATE: 10/24/06

Also, a copy of document **AT24**, cited on the attached form PTO/SB/08B, is not provided in accordance with 37 C.F.R. § 1.98(c), which states: "[w]hen the disclosures of two or more patents or publications listed in an information disclosure statement are substantively cumulative, a copy of one of the patents or publications as specified in paragraph (a) of this section may be submitted without copies of the other patents or publications, provided that it is stated that these other patents or publications are cumulative." Document **AT24** as cited herein is unpublished U.S. Patent Application No. 07/987,456, filed December 7, 1992, and naming inventors Moss *et al.* This application is the parent application of U.S. Patent Nos. 6,998,252 B1 and 7,015,024 B1, cited herein as documents **AJ6** and **AK6**, respectively. As such, the disclosure of **AT24** is substantively cumulative of the disclosures of **AJ6** and **AK6**.

Furthermore, a copy of document **AT24** is not provided in accordance with the U.S. Patent and Trademark Office OG notice of October 19, 2004, which states: "the requirement in 37 C.F.R. § 1.98(a)(2)(iii) for a legible copy of the specification, including the claims, and drawings of each cited pending U.S. patent application (or portion of the application which caused it to be listed) is sua sponte waived where the cited pending application is stored in the USPTO's IFW system."

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication

dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

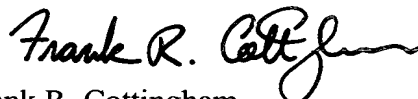
This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing of a first Office action after the filing of a request for continued examination under §1.114, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application. In accordance with 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by the fee set forth in § 1.17(p) (\$180.00, paid by credit card, form PTO-2038).

It is respectfully requested that the Examiner initial and return copies of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

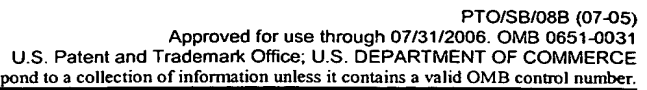


Frank R. Cottingham
Attorney for Applicants
Registration No. 50,437

Date: AUG. 23, 2006

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

523188_1.DOC



| | | | | | |
|---|---|----|---|--------------------------|----------------------|
| Substitute for form 1449/PTO | | | | Complete if Known | |
| SIXTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | | | Application Number | 10/052,942 |
| | | | | Filing Date | January 23, 2002 |
| | | | | First Named Inventor | Maurice ZAUDERER |
| | | | | Art Unit | 1639 |
| | | | | Examiner Name | Epperson, J.D. |
| | | | | Attorney Docket Number | 1821.0090004/EJH/FRC |
| Sheet | 1 | of | 1 | | |

[illegible]

| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.